

Attorney's  
Docket  
Number CME-083CP

Declaration, Petition and Power of Attorney  
for Continuation-in-Part Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

NON-INVASIVE ENZYME SCREEN FOR TISSUE REMODELLING-ASSOCIATED  
CONDITIONS

the specification of which

(check one)

   is attached hereto.

X was filed on April 25, 1997 as

Application Serial No. 08/843,095

and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

This application in part discloses and claims subject matter disclosed in my earlier filed pending application,

Serial No. 08/639,373, filed April 26, 1996,

and I hereby claim the benefit of said United States prior application under Title 35, United States Code, §120.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

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AS TO PARENT APPLICATION:

As to the subject matter of this application which is common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to said earlier application, or in public use or on sale in the United States of America more than one year prior to said earlier application; that the common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to said earlier application; and

As to applications for patents or inventor's certificate or PCT international application(s) designating at least one country other than the United States of America, on the common subject matter, filed in or designating any country foreign to the United States of America, prior to said earlier application by me or my legal representatives or assigns,

Check one:

☒ no such applications have been filed.

☐ such applications have been filed as follows

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO SAID EARLIER U.S. APPLICATION

| Country | Application Number | Date of Filing<br>(month,day,year) | Priority Claimed<br>Under 35 USC 119                                |
|---------|--------------------|------------------------------------|---|
|         |                    |                                    | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
|         |                    |                                    | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
|         |                    |                                    | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
|         |                    |                                    | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
|         |                    |                                    | <input type="checkbox"/> Yes <input type="checkbox"/> No            |

ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO SAID EARLIER U.S. APPLICATION

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AS TO THIS APPLICATION:

As to the subject matter of this application which is not common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application; that said non-common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application; and

As to applications for patents or inventor's certificate or PCT international application(s) designating at least one country other than the United States of America, on said non-common subject matter, filed in or designating any country foreign to the United States of America, prior to this application by me or my legal representatives or assigns,

Check one:

☐ no such applications have been filed.

☒ such applications have been filed as follows

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

| Country | Application Number | Date of Filing<br>(month,day,year) | Priority Claimed<br>Under 35 USC 119                                |
|---------|--------------------|------------------------------------|---|
|         |                    |                                    | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
|         |                    |                                    | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
|         |                    |                                    | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
|         |                    |                                    | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
|         |                    |                                    | <input type="checkbox"/> Yes <input type="checkbox"/> No            |

ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

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POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

|                        |                 |                       |                  |
|------------------------|-----------------|-----------------------|------------------|
| John A. Lahive, Jr.    | Reg. No. 19,788 | Amy E. Mandragouras   | Reg. No. 36,207  |
| W. Hugo Liepmann       | Reg. No. 20,407 | Anthony A. Laurentano | Reg. No. 38,220  |
| James E. Cockfield     | Reg. No. 19,162 | Jane E. Remillard     | Reg. No. 38,872  |
| Thomas V. Smurzynski   | Reg. No. 24,798 | Mark A. Kurisko       | Reg. No. 38,944  |
| Ralph A. Loren         | Reg. No. 29,325 | Jean M. Silveri       | Reg. No. 39,030  |
| Thomas J. Engellenner  | Reg. No. 28,711 | Jeremiah Lynch        | Reg. No. 17,425  |
| Giulio A. DeConti, Jr. | Reg. No. 31,503 | Lawrence E. Monks     | Reg. No. 34,224  |
| Ann Lamport Hammitte   | Reg. No. 34,858 | Catherine J. Kara     | Reg. No. P41,106 |
| Paul Louis Myers       | Reg. No. 35,965 | Peter J. Rainville    | Reg. No. P41,263 |
| Elizabeth A. Hanley    | Reg. No. 33,505 | Mark D. Russett       | Reg. No. P41,281 |
| Michael I. Falkoff     | Reg. No. 30,833 | Scott D. Rothenberger | Reg. No. P41,277 |
| John V. Bianco         | Reg. No. 36,748 | Thomas P. Grodt       | Reg. No. P41,045 |

Send Correspondence to:

Lahive & Cockfield, LLP, 60 State Street, Boston, MA 02109

Direct Telephone Calls to: (name and telephone number)

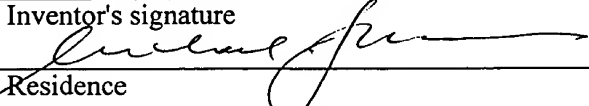
Elizabeth A. Hanley, (617) 227-7400

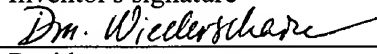
Wherefore I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

|  |                 |
|--|-----------------|
| Full name of sole or first inventor<br>Marsha A. Moses |                 |
| Inventor's signature<br><i>Marsha A. Moses</i>         | Date<br>9-17-97 |
| Residence<br>64 Dean Road, Brookline, MA 02146         |                 |
| Citizenship<br>USA                                     |                 |
| Post Office Address (if different)<br>same as above    |                 |

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|   |                  |
|---|------------------|
| Full name of second inventor, if any<br>Michael R. Freeman  |                  |
| Inventor's signature<br> | Date<br>09-17-97 |
| Residence<br>209 W. Canton Street, #1, Boston, MA 02116   |                  |
| Citizenship<br>USA  |                  |
| Post Office Address (if different)<br>same as above   |                  |

|   |                  |
|---|------------------|
| Full name of third inventor, if any<br>Dmitri Wiederschain  |                  |
| Inventor's signature<br> | Date<br>09-17-97 |
| Residence<br>11 Stearns Road, #4, Brookline, MA 02146   |                  |
| Citizenship<br>Russia   |                  |
| Post Office Address (if different)  |                  |

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Applicant or Patentee: Marsha A. Moses, Michael R. Freeman and Attorney's  
Serial or Patent No.: Dmitri Wiederschain No.: CME-083CP  
Filed or Issued:  
Title: NON-INVASIVE ENZYME SCREEN FOR TISSUE REMODELLING ASSOCIATED CONDITIONS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION Children's Medical Center Corporation  
ADDRESS OF NONPROFIT ORGANIZATION 300 Longwood Avenue, Boston, Massachusetts 02115  
TYPE OF NONPROFIT ORGANIZATION  
☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION  
☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))  
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)  
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA  
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention entitled

NON-INVASIVE ENZYME SCREEN FOR TISSUE REMODELLING ASSOCIATED CONDITIONS

by inventor(s) Marsha A. Moses, Michael R. Freeman and Dmitri Wiederschain  
described in

- ☒ the specification filed herewith.  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING William New  
TITLE IN ORGANIZATION OF PERSON SIGNING Vice President, Research Administration  
ADDRESS OF PERSON SIGNING Children's Medical Center Corporation, 300 Longwood Avenue, Boston, MA 02115

SIGNATURE

DATE

4/25/97

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